

Listing of the claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claim 1 (Currently Amended). An apparatus for withdrawing a tissue specimen, comprising:

an endoscope including an endoscopic shaft having proximal and distal ends and a lumen extending therebetween;

~~at least one~~ a first hoop-like support member selectively slideable within the lumen from a first position wherein the first hoop-like support member has a first diameter to at least one second position wherein the first hoop-like support member has a second diameter which is different from the first diameter;

a pouch having first and second ends, the first end being an open end attached to the ~~at least one~~ first hoop-like support member, the pouch defining a container therein for retaining the tissue specimen;

a second hoop-like support member, the second end of the pouch being an open end attached to the second hoop-like support member; and

a remote actuator disposed proximate the proximal end of the endoscopic shaft, the remote actuator being selectively actuateable to close the first end to encapsulate the tissue specimen.

Claim 2 (Canceled).

Claim 3 (Currently Amended). An apparatus for withdrawing a tissue specimen according to claim 2 1 wherein the pouch includes at least one strut disposed between the hoop-like support members for further defining the container for retaining the tissue specimen.

Claim 4 (Currently Amended). An apparatus for withdrawing a tissue specimen according to claim 2 1 wherein the diameter of the second hoop-like support member is selectively expandable from a first diameter within the lumen to a second diameter outside the lumen.

Claim 5 (Currently Amended). An apparatus for withdrawing a tissue specimen according to claim 2 1 wherein the diameter of the first hoop-like support member is selectively contractible from a first diameter within the lumen to a second diameter within the lumen.

Claim 6 (Currently Amended). An apparatus for withdrawing a tissue specimen according to claim 1 wherein the ~~at least one of~~ first hoop-like support member includes a pair of arcuate portions which slidingly reciprocate with respect to one another to vary the diameter of the ~~at least one~~ first hoop-like support member.

Claim 7 (Original). An apparatus for withdrawing a tissue specimen according to claim 1 wherein the first hoop-like support member is disposed in a pre-loaded configuration within the lumen such that the diameter of the first hoop-like support member automatically

expands when the first hoop-like support member is extended from the distal end of the endoscopic shaft.

Claim 8 (Original). A method for withdrawing a tissue specimen through an endoscope comprising the steps of:

providing:

a grasping instrument;

an endoscope including an endoscopic shaft having proximal and distal ends and a lumen extending therebetween;

first and second hoop-like support members, each of the hoop-like support members being selectively slideable within the lumen from a first position to at least one second position, each of the hoop-like support members including a diameter which is variable from a first diameter to at least one different diameter; and

a pouch having first and second ends which attach to respective first and second hoop-like support members, the pouch defining a container therein for retaining the tissue specimen;

grasping the tissue specimen with the grasping instrument;

sliding the first and second hoop-like members from the first to second positions such that the diameter of the second hoop-like member expands and encapsulates the tissue specimen;

closing the second end of the pouch about the tissue specimen;

withdrawing the grasping instrument through the lumen;

closing the first end of the pouch about the tissue specimen; and

withdrawing the tissue specimen and pouch proximally through the lumen.

Claim 9 (Original). An apparatus for retrieving a tissue specimen, comprising:

a shaft having proximal and distal ends and a lumen extending therebetween;

a first support member in the shape of a loop and a second support member in the shape of a loop, the first support member and the second support member being slidably received in the lumen; and

a pouch extending between the first support member and the second support member, the second support member being expandable from a first configuration to a second configuration.

Claim 10. (New). An apparatus for withdrawing a tissue specimen, comprising:

an endoscope including an endoscopic shaft having proximal and distal ends and a lumen extending therebetween;

at least one hoop-like support member selectively slideable within the lumen from a first position wherein the hoop-like support member has a first diameter to at least one second position wherein the hoop-like support member has a second diameter which is different from the first diameter, the hoop-like support member including a pair of arcuate portions which slidably reciprocate with respect to one another to vary the diameter of the hoop-like support member;

a pouch having first and second ends, the first end being an open end attached to the hoop-like support member, the pouch defining a container therein for retaining the tissue specimen; and

a remote actuator disposed proximate the proximal end of the endoscopic shaft, the remote actuator being selectively actuateable to close the first end to encapsulate the tissue specimen.